

REMARKS

The Advisory Action mailed 04/25/2003 stated that the Applicants' response to the Final Office Action mailed 01/27/2003 is not fully responsive because of claim numbering errors in said response. Accordingly, the present response to said Advisory Action renumbers the claims to correct said claim numbering errors. Additionally, the present response to said Advisory Action comprises a response to the Final Office Action mailed 01/27/2003 with correct claim numbering herein.

The Examiner allowed claims 52 and 53. Applicants gratefully acknowledge the Examiner's indication of allowable subject matter.

The Examiner rejected claims 1, 2, 4-10, 14, 15, 17, 23, 24, and 36-51 under 35 U.S.C. § 103(a) as being unpatentable over Mase et al. (U.S. Patent 6,200,868) in view of Moslehi et al. (U.S. Patent 4,715,937).

Applicants respectfully traverse the §103 rejections with the following arguments.

35 U.S.C. §103

The Examiner rejected claims 1, 2, 4-10, 14, 15, 17, 23, 24, and 36-51 under 35 U.S.C. § 103(a) as being unpatentable over Mase et al. (U.S. Patent 6,200,868) in view of Moslehi et al. (U.S. Patent 4,715,937).

Applicants respectfully contend that claims 1, 2, 4-10, 14, 15, 17, 23, 24, and 36-51 are not unpatentable over Mase in view of Moslehi, because Mase cannot be combined with Moslehi. Applicants respectfully contend that the Examiner has not provided a persuasive reason for combining Mase and Moslehi. The Examiner alleges: "It would have been within the scope of one of ordinary skill in the art to combine the teachings of Mase et al and Moslehi et al to enable the gate conductor trimming step of Mase et al to be performed and also to obtain ultra-thin high quality insulators (Moslehi et al. Column 1, lines 15-18)". In response, Applicants note that mere enabling the gate conductor trimming step of Mase to be performed is not persuasive because Mase already discloses a method for performing the gate conductor trimming step as the Examiner has admitted in the Office Action of 01/27/2003. Applicants further contend that the "ultra-thin" aspect of insulator referred to by the Examiner provides a persuasive reason why one of ordinary skill in the art would not combine the teachings of Mase et al and Moslehi, based on the following argument.

The Examiner correctly states that Moslehi discloses "laser-enhanced radiation" for growing gate insulators comprising thermal nitrides on silicon (see Moslehi, col. 1, lines 21-31). Moslehi also discloses that said laser enhanced nitridation can grow nitrides of only 25 angstroms or less in thickness (see Moslehi, col. 2, lines 8-13). Moslehi further states that a difficulty with the laser technique is that "the films are of insufficient thickness" (see Moslehi,

col. 2, lines 40-44). Applicants additionally note that Mase requires silicon nitride films of 50 to 150 nanometers which is equivalent to 500 to 1500 angstroms (see Mase, col. 10, lines 66-67).

Thus, Moslehi's disclosure makes it clear that use of a laser to grow a thermal oxide on silicon cannot form a silicon nitride film of the thickness required by Mase. Therefore, use of laser as disclosed by Moslehi to grow a thermal oxide on silicon would destroy Mase's invention. Thus, Applicants respectfully contend that one of ordinary skill in the art would not combine the teachings of Mase and Moslehi "to obtain ultra-thin high quality insulators" as alleged by the Examiner. Accordingly, Applicants respectfully contend that the Examiner has not established a *prima facie* case for obviousness in relation to 1, 2, 4-10, 14, 15, 17, 23, 24, and 36-51, and the rejection under 35 U.S.C. § 103(a) is improper.

Based on the preceding argument, Applicants respectfully maintain that claims 1, 2, 4-10, 14, 15, 17, 23, 24, and 36-51 are not unpatentable over Mase in view of Moslehi, and that claims 1, 2, 4-10, 14, 15, 17, 23, 24, and 36-51 are in condition for allowance.

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims 1- 2, 4-10, 14, 15, 17, and 23-53 and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below.

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